

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE:

GIOVANNA LILIANA KAGEMANN

CASE NO. 20-00898-JJG-13

DEBTOR

**TRUSTEE'S OBJECTION TO SUPPLEMENTAL CLAIM FILED BY**  
**WELLS FARGO BANK, NA**

Comes now Ann DeLaney, Trustee herein, and files this Objection to Supplemental Claim for CARES Forbearance Claim relating to Claim Number 4 filed by Wells Fargo Bank, NA (the Creditor), pursuant to Fed.R.Bankr.P. 3007. The Creditor's claim asserts a secured lien status. The Trustee proposes to disallow this claim and make no distribution for the following reasons:

1. Debtor filed bankruptcy 2/19/2020. In Debtor's Confirmed Plan filed 10/20/2020, the Debtor treats the mortgage held by the Creditor at 2310 S. Hickory Leaf Drive, Bloomington, Indiana 47403-3124, as a conduit mortgage, which requires the Trustee to pay any pre-petition arrearage and the on-going monthly mortgage payments during the course of the bankruptcy.
2. Debtor's Confirmed Plan is for 60 months and the Trustee is responsible for the equivalent of 60 monthly payments representing the months March 2020 through and including February 2025.

3. Two Notices of Temporary Forbearance have been filed on 6/10/2020 and 11/6/2020 covering the months June 2020 through and including November 2020.
4. The Supplemental Claim filed by the Creditor on 8/2/2021 totals \$1,365.19 and gives an accounting of funds received and still owed for the six months listed in the two Notices. All of the months in question are covered by the Confirmed Plan and will be the responsibility of the Trustee during the bankruptcy.
5. The Trustee has no record of forbearance accepted by Debtor and no modified plan has been filed by the Debtor treating the supplemental claim other than the Confirmed Plan that covers the months in question through a conduit mortgage.

WHEREFORE, after notice and opportunity for hearing, your Trustee requests that the court enter an order sustaining this objection.

Respectfully submitted:

DATE: August 4, 2021

/s/ Ann DeLaney  
PO Box 441285  
Indianapolis, IN 46244  
PH: (317) 829-7360  
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E-Mail: [anndelaney341@trustee13.com](mailto:anndelaney341@trustee13.com)

PLEASE TAKE NOTICE THAT any response must be filed with the Bankruptcy Clerk within 30 days of the date of this notice [or such other time period as may be permitted by Fed.R.Bankr.P. 9006(f)]. Those not required or not permitted to file electronically must deliver any response by U.S. mail, courier, overnight/express mail, or in person at:

US Bankruptcy Court  
116 U.S. Courthouse  
46 E. Ohio St.  
Indianapolis, IN 46204

The responding party must ensure delivery of the response to the party filing the objection. If a response is NOT timely filed, the requested relief may be granted. If a response is filed, a hearing will be set at a later date, and all parties will receive a notice of that hearing. WHEREFORE, the Trustee moves the Court for an order providing for the treatment proposed above.

**Certificate of Service**

This is to certify that a copy of the foregoing has been served upon the following electronically or by first class United States mail, first class postage prepaid, this 4th day of August 2021:

U. S. Trustee *via electronic mail*

Law Offices of *via electronic mail*  
Andrew James DeYoung, PC

Wells Fargo Bank, NA MAC# N9286-01Y \*\*SENT CERTIFIED\*\*  
1000 Blue Gentian Road  
Eagan, MN 55121-7700  
Attn: Highest Officer Found

Giovanna Liliana Kagemann 2310 S. Hickory Leaf Drive, Bloomington, IN 47403-3124

/s/ Ann DeLaney  
Ann DeLaney